

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:22-CR-217-M-RN-1

UNITED STATES OF AMERICA

v.

NOAH EDWIN ANTHONY

UNOPPOSED
MOTION TO EXTEND PRETRIAL MOTIONS
DEADLINE AND TO CONTINUE
ARRAIGNMENT AND TRIAL

The defendant, Noah Edwin Anthony, by and through counsel, respectfully moves the Court to extend the deadline to file pre-trial motions until November 16, 2022, and to continue the arraignment and trial currently scheduled for the November 15, 2022 term, for a minimum of thirty (30) days. The following is offered in support of this request:

1. Mr. Anthony was named in an Indictment filed on September 13, 2022, charging him with receiving and possessing an unregistered firearm with a barrel of less than sixteen (16) inches in length, in violation of 26 U.S.C. §§ 5841, 5861(d) and 5871. Mr. Anthony was arrested on September 23, 2022.
2. The Office of the Federal Public Defender was appointed to represent Mr. Anthony on September 26, 2022. Defense counsel entered his Notice of Appearance on September 27, 2022.
3. As provided in the Scheduling Order filed on September 28, 2022, pre-trial motions are due on or before October 17, 2022. Responses to pre-trial motions are due by October 31, 2022. The arraignment is currently scheduled for the November 15, 2022 term of court.

4. Mr. Anthony is in the custody of the United States Marshals Service at the Franklin County Jail.
5. Pursuant to the Government's Motion to Continue, the Rule 16.1(b) Pretrial Conference deadline was extended to October 17, 2022. Discovery was provided to defense counsel on Monday, October 17, 2022.
6. Defense counsel requests additional time to meet with Mr. Anthony to review the discovery material, determine what, if any, pretrial motions are appropriate, and the best way to proceed with the case.
7. Defense counsel respectfully requests that the pretrial motions deadline be extended through and including November 16, 2022, and that the arraignment be continued for a minimum of thirty (30) days.
8. Assistant United States Attorney Gabriel J. Diaz has indicated that he does not oppose this Motion.
9. This Motion is made in good faith and not for the purposes of delay. Neither the Government nor the defendant would be prejudiced by the extension and continuance sought herein.

WHEREFORE, the Defendant respectfully requests that the deadline for filing pretrial motions be extended to November 16, 2022, and that the arraignment in this matter be continued for a minimum of thirty (30) days, or to a date that the Court deems appropriate. The ends of justice served by this Motion outweigh the interests of the public and the Defendant in a speedy trial as set forth in 18 U.S.C. § 3161(h)(7)(A).

Respectfully requested this 17th day of October, 2022.

G. ALAN DuBOIS
Federal Public Defender

/s/ Christopher J. Locascio
CHRISTOPHER J. LOCASCIO
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LR 57.1 Counsel Appointed

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon:

GABRIEL J. DIAZ
United States Attorney's Office
150 Fayetteville Street, Suite 2100
Raleigh, NC 27601

by electronically filing the foregoing with the Clerk of Court on this date, using the CM/ECF system which will send notification of such filing to the above.

This the 17th day of October, 2022.

/s/ Christopher J. Locascio
CHRISTOPHER J. LOCASCIO
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